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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

JENNIFER MAREK, ISABELLE DWIGHT,  
DARREN WILLIAMS, JENNIFER GANNON,  
EVVIE EYZAGUIRRE, BRANDI FIKE, LANCE  
WALDRON, JESSICA TEMPEST, and VIVIAN  
NOGUERAS, as individuals, on behalf of  
themselves, the general public and those similarly  
situated,

Plaintiffs,

v.

MOLSON COORS BEVERAGE COMPANY USA  
LLC and MOLSON COORS BEVERAGE  
COMPANY,

Defendants

CASE NO. 21-cv-07174-WHO

**DECLARATION OF SPENCER  
SHEEHAN IN SUPPORT OF  
PLAINTIFFS' MOTION FOR FEES,  
COSTS, AND INCENTIVE AWARDS**

I, Spencer I. Sheehan, declare as follows:

1. I am admitted to the New York and Illinois State Bars and am an attorney at Sheehan & Associates, P.C., and counsel of record for Plaintiffs Darren Williams, Jennifer Gannon, and Evvie Eyzaguirre. I have personal knowledge of the facts set forth in this declaration, and, if called as a witness, could and would competently testify thereto under oath.

2. This declaration is submitted in support of Plaintiff's Motion for Fees, Costs, and Incentive Awards, filed concurrently herewith.

1           3.       My firm led with the prosecution of the Related Cases in the Northern District of  
2 Illinois, *Williams v. Molson Coors Beverage Company USA LLC*, No. 21-cv-50207 (N.D. Ill.) (the  
3 “*Williams Action*”) and Southern District of Florida, *Eyzaguirre v. Molson Coors Beverage*  
4 *Company USA LLC*, No. 22-cv-60889 (S.D. Fl.) (the “*Eyzaguirre Action*”) on a contingent basis  
5 with no guarantee of recovery. My firm, along with Gutride Safier LLP (“GSLLP”) and The Wright  
6 Law Office (“Wright Law”), incurred 100% of the risk in pursuing those cases. My firm, along with  
7 GSLLP and Wright Law, advanced expenses with the understanding that we would be paid a  
8 reasonable fee for our work in the Related Cases and receive reimbursement for expenses only if  
9 successful. My firm also passed on other employment opportunities in order to devote the time and  
10 resources necessary to pursue these Related Cases.

12           4.       The backgrounds and qualifications from the Sheehan & Associates, P.C. attorneys  
13 who worked on the matter are set forth in the Firm Resume, which is attached hereto as **Exhibit 1**.

14           5.       My firm, along with Wright Law, was involved in the initial stages of the Related  
15 Cases listed in paragraph 3 above. My work in these cases included communicating with the clients;  
16 reviewing and editing the pleadings; communicating with GSLLP and Wright Law regarding case  
17 strategy; attending depositions; attending conferences; and, writing a response to a motion to  
18 dismiss.

19           6.       I am thoroughly familiar with the quality and quantity of work done in this case at  
20 Sheehan & Associates, P.C., as I am the only individual who worked on this case from my firm. I  
21 have endeavored to ensure there was no unnecessary work or duplication of effort.

22           7.       I believe the work expended by my firm in this litigation was reasonable and  
23 necessary considering the amount of work required to litigate the Related Actions listed in paragraph  
24 3 above. This work contributed to resolving this Action.

25           8.       The lodestar calculation is based on the firm’s current billing rates. These rates have  
26 been determined to be reasonable by other courts in class action litigations.

9. The professional staff at my firm spent a total of 84.14 hours on *Williams and Eyzaguirre*. The total lodestar for these cases is \$63,105. A breakdown of the lodestar in each case is provided below.

10. The total number of hours spent on *Williams* by professional staff at my firm as of April 14, 2023 was 66.23 hours. The total lodestar for the professional staff in *Williams* is \$49,672.50.

Attorney/ Paralegal	Hours	Rate	Lodestar	Bar Admission Year
Spencer I. Sheehan (Partner)	66.23	\$750	\$49,672.50	2012
<b>TOTALS</b>	66.23	\$750	\$49,672.50	

11. The total number of hours spent on *Eyzaguirre* by professional staff at my firm as of April 14, 2023 was 17.91 hours. The total lodestar for the professional staff in *Eyzaguirre* is \$13,432.50.

Attorney/ Paralegal	Hours	Rate	Lodestar	Bar Admission Year
Spencer I. Sheehan (Partner)	17.91	\$750	\$13,432.50	2012
<b>TOTALS</b>	17.91	\$750	\$13,432.50	

12. My firm's lodestar figures are based upon the firm's billing rates, which rates do not include charges for expense items. Expense items are billed separately, and such charges are not duplicated in my firm's billing rates. I am not seeking reimbursement of any expenses in the actions listed in paragraph 3 above.

13. Plaintiffs Darren Williams, Jennifer Gannon, and Evvie Eyzaguirre took on substantial risk, most importantly the risk of publicity and notoriety and the risk of bearing Defendant's costs should the Related Cases have been ultimately unsuccessful. Plaintiffs stayed in contact and worked with me throughout the litigation during which they provided assistance to the

1 prosecution of the Related Cases, including locating and forwarding responsive documents and  
2 information, preparing for and sitting for their depositions, and responding to written discovery.  
3 Plaintiffs participated and helped obtain relief for the entire Class even though their individual  
4 damages were relatively modest and they had little to gain. In my opinion, Plaintiffs' participation  
5 in the Related Cases has been exemplary.

6 I declare under penalty of perjury under the laws of the United States and the State of New  
7 York that the foregoing is true and correct. Executed on April 14, 2023 in Great Neck, NY.  
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10 /s/ Spencer I. Sheehan  
11 Spencer I. Sheehan  
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# EXHIBIT 1

Sheehan & Associates, P.C.

**Spencer Sheehan**

Mr. Sheehan represents parties in a range of false advertising litigation. After Mr. Sheehan became an attorney in late 2011, he worked on behalf of municipalities and local government agencies in legal disputes. Following this experience, Mr. Sheehan worked for a plaintiff's law firm representing individuals subjected to violations of state and federal laws related to minimum wage, workplace safety and discrimination.

Of notable actions by Mr. Sheehan on behalf of consumers includes, *Liberski, et al v. Rhapsody International Inc.*, San Francisco County, California Superior Court, Case No. CGC-12-517061. In 2014, the parties reached a class wide settlement ("Rhapsody Subscriber Litigation Settlement"). Mr. Sheehan, with the California firm of Bramson, Plutzik, Mahler & Birkhaeuser, LLP, were appointed as lead counsel.

Mr. Sheehan was appointed lead counsel with the law firms of Reese LLP and Aegis Law Firm, P.C., in *Cicciarella v. Califia Farms, LLC*, 7:19-cv-08785-CS, S.D.N.Y. in summer 2020. The Court approved a nationwide settlement which resolved the underlying federal action and a California state case. It was alleged that defendant mislabeled its non-dairy milk alternative products with respect to flavoring (vanilla, hazelnut, etc.) and the presence of carrageenan. The class wide settlement resulted in individual consumers being able to receive up to \$15 in monetary compensation.

Mr. Sheehan was appointed to the executive committee along with the law firm Held & Hines LLP, in *Chung v. Illuminate Education, Inc.*, 8:22-cv-01547-JWH-DFM, C.D. Cal. in September 2022. Defendant is alleged to have negligently failed to safeguard the confidential information of millions of students. The litigation is still on going.

In December 2016, Mr. Sheehan began focusing his practice exclusively on consumer advertising issues. He has been on the forefront of food labeling cases based on original, significant claims.

For instance, Mr. Sheehan was the first attorney to address "raw" juice products which were alleged to be treated with a non-thermal technology which had substantially the same effects as traditional thermal pasteurization. See e.g. *Campbell v. Freshbev LLC*, Case No. 1:16-cv-07119 (E.D.N.Y.), *Campbell v. Freshbev LLC*, 322 F. Supp. 3d 330, 342 (E.D.N.Y. 2018) ("Therefore, plaintiff has successfully pleaded his GBL §§ 349 and 350 claims with respect to the 'unpasteurized' label on the Cranberry juice."). These cases attempted to apply the applicable law to the effects of novel technologies which were not considered at the time the FDA enacted regulations in this area.

Mr. Sheehan's pro bono work includes representing people with exotic or non-traditional animal companions. This includes his efforts, with local Florida counsel, on behalf of a Floridian who came to possess an alligator over six feet in length, alleged to be in violation of Florida's wildlife laws. Mr. Sheehan's efforts contributed to resolution of that issue and allowed the woman and gator to remain together. See John Breslin, [Lakeland woman keeps alligator, thanks to efforts of lawyer tied to subway shooter's squirrel eviction case](#), Florida Record, January 4, 2017.

Mr. Sheehan holds a Bachelor of Science Degree from Georgetown University in Foreign Service (2002) and a Master's Degree in International Relations from the School of Advanced

International Studies (SAIS), Johns Hopkins University (2006). Mr. Sheehan obtained a Juris Doctorate from Fordham University School of Law (2010). Mr. Sheehan also was a member of the United States Marine Corps as a Reservist.

**Angele Aaron**

Angele is one of the first associate attorneys of Sheehan and Associates, P.C. with a long history in real estate, civil litigation, and employment law. She has spent the last two decades handling residential and commercial real estate closings in Great Neck, New York. While admitted in New York since 1995, Angele's education stems from her time in England. Angele graduated from the University of Westminster with a Bachelor of Law Degree and received a Master of Law Degree from the University College of London in International Law.

**Theodore Hillebrand**

Theodore is an associate attorney of Sheehan and Associates, P.C. with a background in financial litigation and personal injury. Under the guidance of Mr. Sheehan, Theodore has worked on numerous actions and has developed an expertise on arbitration matters. Theodore is a member of the New York Bar and is admitted to practice before the United States District Courts for the Eastern, Southern, and Northern Districts of New York. Theodore graduated from Queens College with a Bachelor of Arts Degree and received his Juris Doctor from Hofstra University.

**Katherine Lalor**

Katherine is an associate attorney of Sheehan and Associates, P.C. who has had years of experience in foreclosure, trust and estates, and no-fault insurance law. Katherine has had a few publications in law journals during her time assisting homeowners facing foreclosure and has since then been focusing on assisting consumers facing misleading advertising. Katherine is a member of the New York Bar and Nassau County Bar. Katherine graduated from St. John's University with a Bachelor of Science Degree and received her Juris Doctor from Touro Law Center.